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BEFORE THE ARIZONA CORPORATION COMMISSION

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IN THE MATTER OF THE REVIEW AND  
POSSIBLE REVISION OF ARIZONA  
UNIVERSAL SERVICE FUND RULES, ARTICLE  
12 OF THE ARIZONA ADMINISTRATIVE  
CODE.

Docket No. RT-00000H-97-0137

IN THE MATTER OF THE INVESTIGATION OF  
THE COST OF TELECOMMUNICATIONS  
ACCESS

Docket No. T-00000D-00-0672

**INTEGRA TELECOM'S COMMENTS ON PROCEDURE AND  
PROPOSED PROTECTIVE AGREEMENT**

Pursuant to the December 19, 2008, Procedural Order, Integra Telecom, Inc. ("Integra") submits its comments on procedural recommendations and the proposed protective order submitted by Commission Staff on January 16, 2009.

**A. Integra's Procedural Recommendations.**

Integra continues to believe that an examination of intrastate switched access rates in Arizona is premature. Although the FCC has not acted on all access charge reform issues before it, the pertinent FCC docket remain open and should move forward. Given the access charge proposals currently that are still being discussed at the FCC which would impose intrastate access rates on the states such as Missoula Inter-carrier Compensation Reform Plan, CC Docket No. 01-92 and AT&T Petition for Interim Declaratory Ruling and Limited Waivers Regarding Access Charges and the "ESP Exemption", WC Docket No. 08-152, there is a significant risk the access charge portion of this proceeding will be rendered irrelevant. Moreover, given the proposed

1 linkage between the access charges and the AUSF, AUSF reform would also be affected by FCC  
2 action.

3       Should the Commission decide to move forward on these issues at this time, Integra  
4 believes the Commission should consider several elements in shaping the appropriate process.  
5 There are numerous potentially affected carriers whose access charges may be reduced.  
6 Depending on the bases for potential access charge reductions, each carrier would present different  
7 facts that must be considered for any proposed reductions. It would be unwieldy and resource  
8 intensive to attempt to conduct carrier-specific proceedings at this point.

9       Initially, the Commission should conduct a generic process to determine the policy of the  
10 Commission on access charges, most likely workshops leading to a rulemaking. The rulemaking,  
11 as has been done in other states, would address the issues raised in this docket and could set forth a  
12 process for setting access charges on a going-forward basis. The rulemaking also could reduce  
13 potential due process issues for the many carriers that have chosen not to participate in this generic  
14 docket but who may be asked to modify their access charge.

15       Integra previously set forth in its October 7, 2008 comment several specific concerns and  
16 issues that should be addressed in enacting any access charge or state USF reform. Those issues  
17 would be addressed in process adopted by the Commission in this docket.

18 **B.       Comments on Proposed Protective Order**

19       Integra finds the proposed protective order to be acceptable except that the last sentence of  
20 Section 1(c) is confusing to the extent it references "states". Integra would not anticipate that any  
21 information provided in this docket would be used outside of Arizona and that sentence should be  
22 removed or clarified.

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1 RESPECTFULLY SUBMITTED this 23<sup>rd</sup> day of January, 2009.

2 **INTEGRA TELECOM, INC.**

3  
4 By 

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